

REFERENCE TITLE: capital police; reserve officers

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2232

Introduced by
Representative Konopnicki

AN ACT

AMENDING SECTION 41-794, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF ADMINISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-794, Arizona Revised Statutes, is amended to
3 read:

4 41-794. Employment of police personnel; capitol police reserve

5 A. The department shall employ police officers and other personnel as
6 the director deems necessary for the protection and security of the state
7 buildings and grounds in the governmental mall as described by section
8 41-1362 and state office buildings in Tucson and persons who are on those
9 properties.

10 B. THE DIRECTOR MAY PROVIDE FOR A VOLUNTEER ORGANIZATION TO BE KNOWN
11 AS THE CAPITOL POLICE RESERVE. THIS ORGANIZATION SHALL CONSIST OF UNITED
12 STATES CITIZENS WHO ARE RESIDENTS OF THIS STATE AND WHO RENDER AUXILIARY
13 SUPPORT, WITHOUT COMPENSATION, TO THE DEPARTMENT AS THE DIRECTOR
14 PRESCRIBES. THIS ORGANIZATION MAY CONSIST OF VOLUNTEERS WHO ARE PEACE
15 OFFICERS AND VOLUNTEERS WHO ARE NOT PEACE OFFICERS.

16 C. THE DIRECTOR SHALL DEFINE THE POWERS AND DUTIES OF THE RESERVE, BUT
17 THESE POWERS AND DUTIES SHALL NOT BE IN EXCESS OF THOSE ACCORDED TO
18 DEPARTMENT EMPLOYEES OR INCONSISTENT WITH THOSE POWERS AND DUTIES.

19 D. THE DIRECTOR SHALL ISSUE TO EACH MEMBER OF THE RESERVE A BADGE OF
20 AUTHORITY TO BE USED BY THE MEMBERS OF THE RESERVE FOR ACTIVITIES AUTHORIZED
21 BY THE DIRECTOR. THE BADGE SHALL BE OF SUCH DESIGN AS THE DIRECTOR
22 DETERMINES, BUT SHALL BEAR THE WORD "RESERVE" ACROSS THE FACE OF THE BADGE.

23 E. A MEMBER OF THE RESERVE PERFORMING ACTIVITIES AUTHORIZED BY THE
24 DIRECTOR FOR AN EMPLOYER IS NOT A STATE EMPLOYEE FOR ANY PURPOSE, INCLUDING
25 WORKERS' COMPENSATION BENEFITS UNDER SUBSECTION F. AN ENTITY EMPLOYING A
26 RESERVE OFFICER TO PERFORM ACTIVITIES AUTHORIZED BY THE DIRECTOR SHALL FILE A
27 STATEMENT WITH THE DEPARTMENT THAT THE EMPLOYEE IS THE AGENT OF THE EMPLOYER
28 AND NOT AN EMPLOYEE OF THIS STATE.

29 F. WHILE ON DUTY, MEMBERS OF THE RESERVE ARE DEEMED STATE EMPLOYEES
30 FOR THE PURPOSE OF SECURING WORKERS' COMPENSATION BENEFITS IN THE SAME
31 MANNER, UNDER THE SAME CONDITIONS AND TO THE SAME EXTENT AS REGULAR STATE
32 EMPLOYEES.